

RESOLUTION NO. CZAB15-17-03

WHEREAS, MANUEL C. & EMILIA DIAZ, ET AL. applied for the following:

(1) AU to RU-1M(a)

ON: PARCELS "1-A," "1-D," "2-G," "2-H" & "2-E"

(2) AU to RU-TH

ON: PARCELS "1-B" & "2-F"

(3) AU to RU-3M

ON: PARCEL "1-C"

SUBJECT PROPERTY: SILVER PALM PARCEL 1-A: All of Tract 1 of the AMENDED PLAT OF PORTIONS OF SOUTH MIAMI GARDENS, Plat book 31, Page 58, less the south 107' of the west 107.65', and less the east 25'; AND: The north 262' of the east 1/2 of the NW 1/4 of the NW 1/4 of the SW 1/4 of Section 19, Township 56 South, Range 40 East. AND: The south 107' of the west 107.65', less the east 25' of Tract 1 of AMENDED PLAT OF PORTIONS OF SOUTH MIAMI GARDENS, Plat book 31, Page 58. AND: Tract 1, of FLORENCE B. HOLFERTY'S FARM, Plat book 51, Page 24, less the following parcel, to-wit: Begin 25' east of the Northwest corner of said Tract 1; thence east 107.65'; thence south 107'; thence west 107.65'; thence north 107' to the Point of beginning. AND: Tract 5, less the west 132' and less the east 25' thereof, AMENDED PLAT OF PORTIONS OF SOUTH MIAMI GARDENS, Plat book 31, Page 58. AND: The south 2/5 of the NE 1/4 of the SW 1/4 less the east 50'; and the south 2/5 of the east 1/4 of the NW 1/4 of the SW 1/4 and the south 2/5 of the west 1/2 of the east 1/2 of the NW 1/4 of the SW 1/4 all in Section 19, Township 56 South, Range 40 East. AND: The east 1/2 of the NW 1/4 of the NW 1/4 of the SW 1/4 less the north 463.56' in Section 19, Township 56 South, Range 40 East; AND: The east 175' of the north 75' of the SW 1/4 of the NW 1/4 of the SW 1/4 less the east 25' in Section 19, Township 56 South, Range 40 East. AND: SILVER PALM PARCEL 1-B: A portion of the NW 1/4 of Section 19, Township 56 South, Range 40 East, being more particularly described as follows: Commence at the Northeast corner of the south 1/2 of the said NW 1/4 of Section 19; thence S89° 19'19"W along the north line of the said south 1/2 of the NW 1/4 of Section 19 for 50' to a point on a line that is 50' east of, as measured at right angles to, the east line of the said NW 1/4 of Section 19, said line being the west Right-of-Way line of S.W. 112th Avenue (Allapattah Road), said point being the Point of beginning of the parcel herein described; thence from the above established Point of beginning run S0° 19'47"E along said line that is 50' west of the east line of the NW 1/4 of Section 19 and along the said right-of-way line of S.W. 112th Avenue (Allapattah Road) for 1,059.47' to a point on the north line of Tract 6 of SECOND AMENDED PLAT OF PORTIONS OF SOUTH MIAMI GARDENS, Plat book 48, Page 28; thence S89° 26'28"W along the north line of said Tract 6 for 1,618.47' to the Northwest corner of said Tract 6, said point also lying on the west line of the east 1/2 of the SE 1/4 of the said SW 1/4 of the NW 1/4 of Section 19; thence N0° 30'14"W along the said west line of the east 1/2 of the SE 1/4 of the SW 1/4 of the NW 1/4 of Section 19 for 315.98'; thence S89° 28'16"W for 333.82' to a point on the east line of the SW 1/4 of the said SW 1/4 of the NW 1/4 of Section 19; thence S0° 32'20"E along the said east line of the SW 1/4 of the SW 1/4 of

the NW $\frac{1}{4}$ of Section 19 for 30'; thence S86° 50'49"W for 436.69'; thence S89° 28'16"W for 196.35' to a point on the east right-of-way line of S.W. 117th Avenue (Colonial Road), said point lying 35' east of, as measured at right angles to, the west line of the said NW $\frac{1}{4}$ of Section 19; thence N0° 36'32"W along the said east right-of-way line of S.W. 117th Avenue, and along a line that is 35' east of, and parallel with, the said west line of the NW $\frac{1}{4}$ of Section 19 for 293.48' to a point on the north line of the south $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the said NW $\frac{1}{4}$ of Section 19; thence N89° 22'40"E along the said north line of the south $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 19 for 632.94' to the Northeast corner of the said south $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 19; thence N0° 32'20"W along the west line of the NE $\frac{1}{4}$ of the said SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 19 for 494.71' to the Northwest corner of the said NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 19; thence N89° 19'19"E along the north line of the said south $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 19 for 39.58' to a Point of curvature of a circular curve to the right; thence to the right along said curve, having for its elements a radius of 495' and a central angle of 39° 40'14" for an arc distance of 342.73' to a Point of reverse curvature; thence to the left along said curve, having for its elements a radius of 260' and a central angle of 71° 26'43" for an arc distance of 324.21' to a Point of reverse curvature; thence to the right along said curve, having for its elements a radius of 900' and a central angle of 31° 46'29" for an arc distance of 499.12' to the Point of tangency, said point lying on the said north line of the south $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 19; thence N89° 19'19"E along the said north line of the south $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 19 for 823.25' to the Point of beginning. AND: Tract 6, less the west 103' thereof, of SOUTH MIAMI GARDENS, SECOND AMENDED PLAT, Plat book 48, Page 28 AND: All of Tract 7 of the 2nd AMENDED PLAT OF PORTIONS OF SOUTH MIAMI GARDENS, Plat book 48, Page 28. AND: SILVER PALM PARCEL "1-C": A portion of the NW $\frac{1}{4}$ of Section 19, Township 56 South, Range 40 East, being more particularly described as follows:

Commence at the Southeast corner of the north $\frac{1}{2}$ of the said NW $\frac{1}{4}$ of Section 19; thence S89° 19'19"W along the south line of the said north $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 19 for 50' to a point on a line that is 50' east of, as measured at right angles to, the east line of the said NW $\frac{1}{4}$ of Section 19, said line being the west right-of-way line of S.W. 112th Avenue (Allapattah Road), said point being the Point of beginning of the parcel herein described; thence from the above established Point of beginning continue S89° 19'19"W along the said south line of the north $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 19 for 823.25' to a Point of curvature of a circular curve to the left; thence to the left along said curve, having for its elements a radius of 900' and a central angle of 31° 46'29" for an arc distance of 499.12' to a Point of reverse curvature; thence to the right along said curve, having for its elements a radius of 260' and a central angle of 32° 8'9" for an arc distance of 145.83' to a point; thence N0° 19'2"W for 1,494.47' to a point on the north line of the said NW $\frac{1}{4}$ of Section 19; thence N89° 10'24"E along the said north line of the NW $\frac{1}{4}$ of Section 19 for 824.34' to a point that is 660' west of, as measured at right angles to, the said east line of the NW $\frac{1}{4}$ of Section 19; thence S0° 19'47"E along a line that is 660' west of, and parallel with, the said east line of the NW $\frac{1}{4}$ of Section 19 for 660.02' to a point that is 660' south of, as measured at right angles to, the said north line of the NW $\frac{1}{4}$ of Section 19; thence N89° 10'24"E along a line that is 660' south of, and parallel with the said north line of the NW $\frac{1}{4}$ of Section 19 for 610.02' to a point on the said west right-of-way line of S.W. 112th Avenue (Allapattah Road). Said point lying 50' west of, as measured at right angles to, the said east line of the NW $\frac{1}{4}$ of Section 19; thence S0° 19'47"E along the said west right-of-way line of S.W. 112th Avenue (Allapattah Road) and along a line that is 50' west of, and parallel with, the said east line of the NW $\frac{1}{4}$ of Section 19 for 664.31' to the Point of beginning. AND: SILVER

PALM PARCEL "1-D": A portion of the west $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 19, Township 56 south, Range 40 East, being more particularly described as follows:

Commence at the Southwest corner of the north $\frac{1}{2}$ of the said west $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 19; thence N89° 19'19"E along the south line of the said north $\frac{1}{2}$ of the west $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 19 for 35' to a point on the east right-of-way line of S.W. 117th Avenue (Colonial Road), said point lying 35' east of, as measured at right angles to, the west line of the said west $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 19, said point being the Point of beginning of the parcel herein described; thence from the above established Point of beginning run N0° 36'32"W along the said east right-of-way line of S.W. 117th Avenue (Colonial Road) and along a line that is 35' east of, and parallel with, the said west line of the NW $\frac{1}{4}$ of Section 19 for 1,317.58' to a point on the north line of the said west $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 19; thence N89° 10'24"E along the said north line of the west $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 19 for 1,161.29'; thence S0° 19'2"E radial to the next described curve, for 1,494.47' to a point on a circular curve concave to the Northwest; thence SW/ly, W/ly and NW/ly along said curve to the right, having for its elements a radius of 260' and a central angle of 39° 18'34" for an arc distance of 178.38' to a Point of reverse curvature; thence to the left along said curve, having for its elements a radius of 495' and a central angle of 39° 40'14" for an arc distance of 342.73' to the Point of tangency, said point lying on the said south line of the north $\frac{1}{2}$ of the west $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 19; thence S89° 19'19"W along the said south line of the north $\frac{1}{2}$ of the west $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 19 for 673.13' to the Point of beginning. AND: The west $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 18, Township 56 South, Range 40 East lying south of Bailes Road. AND: The west $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ less that part lying north of Bailes Road, Section 18, Township 56 South, Range 40 East, said property being more particularly described as follows:

A portion of the SW $\frac{1}{4}$ of Section 18, Township 56 South, Range 40 East, being more particularly described as follows:

Commence at the Southwest corner of said SW $\frac{1}{4}$ of Section 18; thence along the south line of said SW $\frac{1}{4}$ N89° 10'24"E, 670.16' to a Point of intersection with the west line of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 18; AND: SILVER PALM PARCEL "2-E": The NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24, Township 56 South, Range 39 East, less the east 35' thereof. AND: SILVER PALM PARCEL "2-F": A portion of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24, Township 56 South, Range 39 East, being more particularly described as follows:

Commence at the Southeast corner of the said SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24; thence S88° 18'35"W along the south line of the said SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24 for 35.01' to a point on the west right-of-way line of S.W. 117th Avenue, said point being 35' west of, as measured at right angles to, the east line of the SE $\frac{1}{4}$ of the said Section 24; thence continue S88° 18'35"W along the said south line of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24 for 777.38'; thence N1° 41'25"W for 85' to a Point of curvature of a circular curve to the left; thence to the left along said curve, having for its elements a radius of 128' and a central angle of 35° 15'50" for an arc distance of 78.78' to a Point of reverse curvature; thence to the right along said curve, having for its elements a radius of 873' and a central angle of 70° 19'23" for an arc distance of 1,071.49' to the Point of tangency; thence N33° 22'8"E for 133.26'; thence N1° 18'28"W for 49.03' to a point on the north line of the said SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 24; thence N88° 41'32"E along the said north line of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 4 for 750.68' to a point on the said west right-of-way line of S.W. 117th Avenue (Colonial Road), said point lying 35' west of, as measured at right angles to, the east line of the said NE $\frac{1}{4}$ of Section 24; thence S0° 36'32"E along the said west right-of-way line of S.W. 117th Avenue (Colonial Road), and along a line that is 35' west of, and parallel with, the said east line of the NE $\frac{1}{4}$ of Section 24 for 1,317.07'; thence S0° 37'18"E along the said west right-

of-way line of S.W. 117th Avenue (Colonial Road) and along a line that is 35' west of, and parallel with, the said east line of the SE ¼ of Section 24 for 0.66' to the Point of beginning. AND: SILVER PALM PARCEL "2-G": A portion of the SE ¼ of the NE ¼ of Section 24, Township 56 South, Range 39 East, being more particularly described as follows:

Begin at the Southwest corner of the said SE ¼ of the NE ¼ of Section 24; thence N0° 54'25"W along the west line of the said SE ¼ of the NE ¼ of Section 24 for 1,326.38' to the Northeast corner of the said SE ¼ of the NE ¼ of Section 24; thence S88° 41'32"E along the north line of the said SE ¼ of the NE ¼ of Section 24 for 562.55'; thence S1° 18'28"E for 49.03'; thence S33° 22'8"W for 133.26' to a Point of curvature of a circular curve to the left; thence to the left along said curve, having for its elements a radius of 873' and a central angle of 70° 19'23" for an arc distance of 1,071.49' to a Point of reverse curvature; thence to the right along said curve; having for its elements a radius of 128' and a central angle of 35° 15'50" for an arc distance of 78.78' to the Point of tangency; thence S1° 41'25"E for 85' to a point on the said south line of the SE ¼ of the NE ¼ of Section 24; thence S88° 18'35"W along the said south line of the SE ¼ of the NE ¼ of Section 24 for 529.08' to the Point of beginning. AND: SILVER PALM PARCEL "2-H": The north 902.55' of the NE ¼ of the SE ¼ in Section 24, Township 56 South, Range 39 East, less the east 35' thereof.

LOCATION: Lying south & north of S.W. 232 Street (Silver Palm Drive) and lying between S.W. 112 Avenue & theoretical S.W. 119 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Miami-Dade County Community Zoning Appeals Board 15 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant proffered a Declaration of Restrictions, and

WHEREAS, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary changes to RU-1M(a) on parcels "1-A," "1-D," "2-G," "2-H" & "2-E" (Item #1), RU-TH on parcels "1-B" & "2-F" (Item #2), and RU-3M on parcel "1-C" (Item #3) would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and

WHEREAS, a motion to deny Items 1 - 3 was offered by Daniel L. Adams, seconded by Leonard Anthony, and upon a poll of the members present the vote was as follows:

Daniel L. Adams
Al Alvarez
Leonard Anthony

aye
aye
aye

JoAnn Bova
Paul S. Vrooman

aye
nay

Nancy McCue nay

NOW THEREFORE BE IT RESOLVED by the Miami-Dade County Community Zoning Appeals Board 15, that the requested district boundary changes to RU-1M(a) on parcels "1-A," "1-D," "2-G," "2-H" & "2-E" (Item #1), RU-TH on parcels "1-B" & "2-F" (Item #2), and RU-3M on parcel "1-C" (Item #3) be and the same are hereby denied without prejudice.

The Director is hereby authorized to make the necessary notations upon the records of the Miami-Dade County Department of Planning and Zoning.

PASSED AND ADOPTED this 23rd day of September 2003.

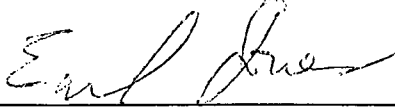
Hearing No. 03-7-CZ15-1
ej

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Earl Jones, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board CZAB# 15, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB15-17-03 adopted by said Community Zoning Appeals Board at its meeting held on the 23rd day of September 2003.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 26th day of September 2003.



Earl Jones, Deputy Clerk (3230)
Miami-Dade County Department of Planning and Zoning

SEAL





DEPARTMENT OF PLANNING AND ZONING

MAIN OFFICE

□ 111 NW 1 STREET, SUITE 1210
MIAMI, FLORIDA 33128
(305) 375-2800

PERMITTING AND INSPECTION OFFICE

11805 S.W. 26 Street
MIAMI, FLORIDA 33175

□ IMPACT FEE SECTION
(786) 315-2670 • SUITE 145

□ ZONING INSPECTION SECTION
(786) 315-2660 • SUITE 223

□ ZONING PERMIT SECTION
(786) 315-2666 • SUITE 106

□ ZONING PLANS PROCESSING SECTION
(786) 315-2650 • SUITE 113

September 26, 2003

Manuel C. & Emilia Diaz, et al.
c/o Miguel Diaz De La Portilla
Suite #3400
200 South Biscayne Boulevard
Miami, FL 33131

Re: Hearing No. 03-7-CZ15-1 (02-377)
Location: Lying south & north of S.W. 232 Street (Silver Palm Drive) and between S.W.
112 Avenue & theoretical S.W. 119 Avenue, Miami-Dade County, Florida.

Dear Mr. & Ms. Diaz:

Enclosed herewith is Resolution No.CZAB15-17-03, adopted by the Miami-Dade County Community Zoning Appeals Board 15, which denied your application without prejudice.

Please note that an aggrieved party may appeal the Board's decision to the Board of County Commissioners, within 14 days from the date of posting on the 11th floor of the Stephen P. Clark Building, 111 N.W. 1st Street, Miami, FL 33128. The date of posting is September 29th, 2003.

Appeals may be filed during regular business hours, Monday through Friday, at the Zoning Hearing Section of the Planning & Zoning Department, on the 11th floor of the Stephen P. Clark building.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Earl Jones'.

Earl Jones
Deputy Clerk

Enclosure

DIRECT DIAL: (305) 375-3075
DIRECT FAX: (305) 375-1239